

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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DANIEL L. MEIER,

Plaintiff,

v.

Case No. 08-CV-10240-DT

DETROIT DIESEL CORP., et al.,

Defendants.

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**ORDER STAYING AND ADMINISTRATIVELY CLOSING CASE PENDING  
RESOLUTION OF APPEAL**

The court recently reaccepted this case from the Honorable Denise Page Hood pursuant to Eastern District of Michigan Local Rule 83.11. Upon review of the docket, the court notes that Plaintiff Daniel L. Meier appealed the order transferring this case from the United States District Court for the District of Columbia. The filing of a notice of appeal generally “confers jurisdiction on the court of appeals and divests the district court of control over those aspects of the case involved in the appeal.” *Marrese v. Am. Academy of Orthopaedic Surgeons*, 470 U.S. 373, 379 (1985) (citing *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) ( *per curiam* )). The court is inclined to believe that it lacks jurisdiction over this matter pending a resolution of Plaintiff’s appeal.

Moreover, even if the court retains jurisdiction, the court finds that the interests of judicial economy are best served by staying the case until Plaintiff’s appeal is resolved. “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for

itself, for counsel, and for litigants.” *Landis v. North American Co.*, 299 U.S. 248, 254-55 (1936). “How this can best be done calls for the exercise of judgment, which must weigh competing interests and maintain an even balance.” *Id.* In this case, the court finds that a stay will best conserve the resources of counsel, the litigants and the court. *Id.* Accordingly,

IT IS ORDERED that all proceedings in this matter are STAYED pending resolution of Plaintiff’s appeal. IT IS FURTHER ORDERED that the clerk of the court is DIRECTED to administratively close this matter for statistical purposes only. This order is purely ministerial and shall not prejudice nor in any way affect the parties’ substantive rights.

Either party may reinstate this case by filing a notice that the appeal has been resolved and the court will automatically lift the stay and re-open the case.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: September 30, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 30, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522